

REMARKS/ARGUMENTS

Reconsideration of this application and entry of the foregoing amendments are respectfully requested.

Applicants acknowledge with appreciation the very helpful interview of August 18, 2009, and the indication by the Examiner in the Interview Summary dated August 21, 2009 that claims 64, 66 and 88 would be allowable if rewritten in independent form and that the non-elected species would be rejoined, as would the method of making claims, if amended to contain the allowable subject matter. Applicants have endeavored to revise the claims so as to reflect the subject matter they understand that the Examiner is inclined to allow. Applicants reserve the right to pursue any deleted subject matter in a continuation application.

Prior to discussing the above-noted claim revisions, the Examiner is reminded that, in response to the restriction requirement dated May 13, 2008, Applicants elected the subject matter of Group I.¹ That Group included claims 59-72, 74-76 and 81-85. The Examiner indicated in the Interview Summary dated May 29, 2008 that the claims newly added with the May 2, 2008 Amendment (claims 87 and 88) were also grouped with Group I.² In the Response filed August 13, 2008, Applicants expressed the view that claim 89 (added with the August 13, 2008 Response) should also be included in Group I - subsequent prosecution (see comments below) reflects the fact that it was.

¹ In response to species election A, Applicants elected the microporous material of claim 66 and, in response to species election B, Applicants elected "molecular sensor".

² The May 29, 2008 Interview Summary makes reference to newly added claims 86 and 87 but the newly added claims were, in fact, claims 87 and 88.

As will be clear from the comments that follow, all of the claims as now presented fall within elected Group I, except the method of making claims (new claims 99 and 113) which Applicants request be rejoined since they contain subject matter indicated by the Examiner to be allowable.

Claims 59-63, 73, 77-80, 85, 86, 88 and 90-92 have now been cancelled without prejudice.

The comments below are offered in order to facilitate the Examiner's consideration of the claims as now revised.

Four independent claims are now presented:

Claim 64 – which the Examiner indicated in the August 21, 2009 Interview Summary to be allowable if presented in independent form,

Claim 65 – which the Examiner indicated in the May 5, 2008 Interview Summary and the May 13, 2008 Action to be allowable,

Claim 66 – which the Examiner indicated in the August 21, 2009 Interview Summary to be allowable if presented in independent form, and

Claim 89 – which the Examiner indicated in the June 24, 2009 Advisory Action to be allowable.

Claims depending from independent claims 64, 66 and 89 are also presented (claims 70-72, 74, and 81-84 have been revised to depend from claim 64). The correspondence between the dependent claim families will be clear from the table that follows.

<u>Independent claim 64</u>	<u>Independent claim 66</u>	<u>Independent claim 89</u>
67	93	107
68	94	108
69	95	109
70	96	110
71	97	111
72	98	112
74	100	114
75	101	115
76	102	116
81	103	117
82	104	118
83	105	119
84	106	120

The above-noted dependent claims are understood to be allowable for the reasons that follow (specific reference being made to the claims depending from claim 64).

Claims 67-69 correspond to now cancelled claims 90-92. Claims 90-92 (which depended from claim 65) were indicated to be allowable in the Office Action dated March 19, 2009.³ Claims 70-72 and 74-76 are within elected Group I and have been

³ Claim 68 was indicated to allowable in the Office Action dated October 8, 2008 (see page 4).

revised to depend on allowable claim 64. Claims 81-84 are within elected Group I and have been revised to depend on allowable claim 64. These claims are drawn to species B as set forth in the restriction requirement dated May 13, 2008 and, thus, they constitute the restricted species which the Examiner indicated in the August 21, 2009 Interview Summary would be rejoined. The corresponding claims depending from claims 66 and 89 are understood to be allowable for these same reasons.

Basis for new method of making claim 99 can be found in Examples 1 and 10, with additional basis being found at page 15 (for formulas (2) and (3)) and also at page 20 (for formula (17)). Basis for new method of making claim 113 can be found in Example 2. The Examiner is requested to rejoin these claims, as indicated in the August 21, 2009 Interview Summary.

This application is submitted to be in condition for allowance and a Notice to that effect is requested. The Examiner is urged to contact the undersigned by phone, however, if any issue remains outstanding so that the same can be resolved.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____ /Mary J. Wilson/
Mary J. Wilson
Reg. No. 32,955

MJW:tat
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100